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C O N F I D E N T I A L ANKARA 009055

SIPDIS

E.O. 12958: DECL: 12/17/2012

TAGS: IR KICT PREL TU

SUBJECT: REQUEST FOR INFORMATION FROM THE GOVERNMENT OF TURKEY REGARDING IRANIAN TERRORISM

REF: A. (A) SECSTATE 191487

¶B. (B) ANKARA 7270

(C) Classified by Ambassador W. Robert Pearson.
Reason:1.5(b)(d).

¶1. (U) Action recommendation - para 5.

¶2. (U) Per ref B, GOT MFA has provided Embassy with court documents involving two cases purportedly establishing and illustrating Iranian support for terrorism in Turkey. These cases are in the public domain; the documents, in the original Turkish, will be sent to Department via pouch.

¶3. (U) According to the MFA, the cases were adjudicated before Ankara State Security Court No.2.

- One case (documents provided by MFA are dated July 2002) alleges a relationship between Iran and the Tevhid Group. It refers to the murders of Ugur Mumcu, Bahriye Ucok, Muammer Aksoy, Ahmet Taner Kisali, Abdulgani Bedevi, Victor Dean Marwick, Ehud Sadan, and Kaya Kaman. The case involves alleged confessions by perpetrators establishing their relations with Iranian intelligence personnel in Ankara and Iran. The verdict is pending; according to the MFA, no date has been set for final decision.

- The other case, brought in 1997, purports to demonstrate ties between Iran and the "Turkish" Hizbulah, a largely Kurdish group operating in southeastern Turkey. The case makes reference to the notorious events of January 31, 1997 in Sincan municipality of Ankara, at which Islamists attending a "Jerusalem Night" rally supported the then Iranian Ambassador's public criticism of the secularist Turkish State.

COMMENT AND RECOMMENDATION

¶4. (C) Despite MFA's assurances that the cases are admissible in other, international court proceedings, there are potential procedural questions which argue against the USG's using these cases in international fora. The Tevhid case may, for example, include uncertainties as to whether police methods used to extract confessions were legal. As for the "Turkish" Hizbulah case, we note that the "Jerusalem Night" events in question became the focal point of the "February 28 Process" -- the military-orchestrated ouster later that year of the then Islamist-led government of Turkey -- and the start of what is widely regarded as Turkey's "post-modern" coup d'etat. As such, it probably reflects in part the MFA's diplomatic defense to the world of Turkish State efforts to control or interfere with elected civilian governments having Islamic coloration -- and is thus even more problematic regarding both the utility of such a case and its implications for USG-GOT relations.

¶5. (C) Action recommended: with regard to para 4, post recommends against USG including these materials in any action before the Hague (per ref A) regarding Iranian support for terrorism.

PEARSON